

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:96-00002

ROBERT KELLY JACKSON, JR.

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On February 6, 2019, the United States of America appeared by Drew O. Inman, Assistant United States Attorney, and the defendant, Roberty Kelly Jackson, Jr., appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Lilla Adkins. The defendant commenced a 30-month term of supervised release in this action on July 26, 2018, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on May 3, 2018.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the special condition that he participate in and successfully complete the 9 to 12 month program at the Union Mission's Foundations Program inasmuch as he entered the program on August 7, 2018, and was discharged from the program on November 24, 2018, after violating the program rules by consuming intoxicating beverages on September 28 and November 24, 2018; and (2) the defendant violated the special condition that he refrain from the use of alcohol inasmuch as he consumed intoxicating beverages on September 28 and November 24, 2018, as noted above; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

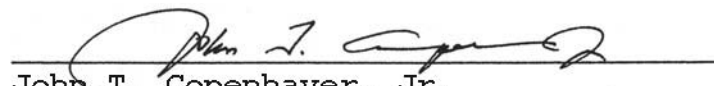
imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FIVE (5) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 15, 2019

  
John T. Copenhaver, Jr.  
Senior United States District Judge